

REMARKS

Claims 1, 2 and 4-11 are all the claims pending in the application.

Claims 1, 4, 6, 10 and 11 have been amended.

New claim 12 has been added.

Applicants thank the Examiner for conducting a telephone interview on February 17.

The substance of that interview is contained in this amendment.

During the interview, Applicants' attorney discussed adding claims that contained limitations related to a numerical aperture and a thickness of the pure silica glass in view of the prior art of record (Borrelli et al. and Dugan et al.). Applicant thanks the Examiner for indicating that a claim that contained a numerical aperture of approximately 0.5 would likely be allowable over the prior art of record and that a claim that included both a numerical aperture and pure silica glass thickness would also likely be allowable.

Claim Objections

Applicants have amended claims 10 and 11 to address the claim objections. Therefore, the Examiner is requested to withdraw the claim objections.

Prior Art Rejections

The Examiner has rejected claims 4-8 under 35 U.S.C. § 102(e) as being anticipated by Borrelli et al. (U.S. App. No. 2002/0076655) and claims 1, 2 and 9-11 under 35 U.S.C. § 103(a) as being unpatentable over the combination of Borrelli et al. and Dugan et al. Applicants traverse these rejections because the cited references fail to disclose or suggest at least the following limitations:

Claims 1, 4 and 6:

the femtosecond laser pulses are condensed by a condenser having a numerical aperture of approximately 0.5.

Borrelli et al. discloses a numerical aperture range of between 0.15 and 0.30. Par. 0017.

In addition, paragraph 0017 also states that an increase in the numerical aperture is limited to maintain a required working distance for writing inside the bulk glass. The claim limitation of 0.5 is well outside the range disclosed in Borrelli et al.

In addition, neither of the other two cited references, Dugan et al. and HPFS mention numerical apertures.

The dependent claims should be allowable at least based on their dependence from claims 1, 4 or 6. In addition, regarding new claim 12, none of the cited references disclose a pure silica glass in which a waveguide is formed has a thickness of approximately 1 mm.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
USSN: 10/644,827

Q76740

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Carl J. Pellegrini
Registration No. 40,766

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: March 22, 2005